CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

MAY 17, 2011

INVOCATION:
Pastor Daniel Cassels of Life Way Fellowship Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Assistant City Manager Haydon, Fire Chief Jones, Police Chief Macagni, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Director of Community Development Appel, Director of Administrative Services Visé, Director of Recreation and Parks Posada, Acting City Librarian Corbett, Community Programs Manager Coelho-Hudson, Management Analyst II van de Kamp, and Chief Deputy City Clerk Perez.

RESOLUTION NO. 2011-47
Councilmember Cordero read Resolution No. 2011-47 recognizing and commending Dennis Szczepanski for more than 16 years of full-time service to the City of Santa Maria Fire Department, and 31 years overall, and congratulating him on his retirement.

Resolution No. 2011-47 was adopted on motion by Councilmember Cordero, seconded by Councilmember Orach, and carried on the following vote:

AYES:	Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2011-47 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA COMMENDING FIREFIGHTER DENNIS SZCZEPANSKI FOR HIS YEARS OF DEDICATED SERVICE.

Dennis Szczepanski thanked the Mayor and Council for the recognition. He said a few years ago a former City Manager bragged that the City was lean and mean. This City is now over 100,000 people, and 13 fire fighters to serve over 100,000 people was not acceptable. The manning of the Police Department was unacceptable. He thanked Bailey Hudson for hiring him in 1979, Alex Posada for giving him a chance to use his barbecue skills, and Fire Chief Jones for keeping him on the Department.

Fire Chief Jones commended Dennis on his years of service. He said Dennis was a little rough around the edges, but he was very well meaning. The Department would miss him. He has been a good steward and ambassador for the Fire Department and City.

GEM AWARD
City Manager Ness presented the "Going the Extra Mile (GEM)" Award to Mike Spears, Systems Analyst I, and Dan Orr, Fire Battalion Chief.

Systems Analyst I Spears was nominated for devoting countless hours of his personal time and his own money to produce a powerful educational film for the Police Department's Traffic Unit that has been shown to more than 2,000 students. The film's message is about the consequences of drinking and driving.

Fire Battalion Chief Orr was nominated for volunteering his own time on weeknights and Saturdays to help make the City's all-Spanish-language "Listos" community emergency preparedness classes a success, while still fulfilling his regular duties as Fire Marshal, Acting Fire Chief, and training seven new firefighter recruits.

Mike Spears thanked the City and said he really enjoyed working with the youth and the Police Traffic Bureau in creating the film. He really admired the students who helped out.

Dan Orr thanked his family. He said this was much more than just him, it was a team effort. Roy Dugger is the "Aware and Prepare" coordinator and brought the dream alive. Rosie Narez and Gracie Huerta went out and taught the classes in Spanish. He said it was amazing what the Fire Department did on a daily basis.

VOLUNTEER OF THE MONTH
Councilmember Orach presented a gift to the Recreation and Parks Volunteer of the Month for May 2011, Sharon Foster of the Town Center Gallery, for her dedication and commitment to the Fine Arts Show at the Autumn Arts Grapes and Grains Festival.

PROCLAMATION – CLARENCE MINETTI DAY
Councilmember Patino read a proclamation declaring June 2, 2011, as "Clarence Minetti Day" in the City of Santa Maria and encouraging all residents to enter into the rodeo spirit by attending all the events taking place June 2nd through June 5th, 2011. The proclamation was accepted by Susan Righetti and family.

Councilmember Patino made a ceremonial motion that the first day of the Rodeo each year be proclaimed "Clarence Minetti Day." Councilmember Cordero seconded the motion, and it carried unanimously.

PROCLAMATION – SPECIAL OLYMPICS TORCH RUN WEEK
Councilmember Boysen read a proclamation declaring the week of June 6 - 11, 2011, as "Special Olympics Southern California Law Enforcement Torch Run Week" in the City of Santa Maria and encouraging the community to recognize and honor the Law Enforcement Officers from the City of Santa Maria for their dedicated efforts in support of the Special Olympic athletes in the community. The proclamation was accepted by Rudy Gutierrez, Recreation Technician (Special Olympics).

PROCLAMATION – MILITARY APPRECIATION MONTH
Mayor Lavagnino read a proclamation declaring the month of May 1 - June 14, 2011, as "National Military Appreciation Month" in the City of Santa Maria, and encouraging all residents to join in showing gratitude to the military by the appropriate display of flags and ribbons during the designated period. The proclamation was accepted by Jean Mollenkopf, Daughters of the American Revolution.

ANNOUNCEMENTS
Mayor Lavagnino announced that he, Director of Utilities Sweet, and County Deputy Public Works Director Fayram went to Washington, D. C. last week. The purpose of the trip was to keep the Bradley Extension, the 3,700 feet of the Santa Maria Levee that is directly adjacent to the terminus of Phase III, from slipping by the wayside. The goal was to make sure the Army Corps of Engineers placed the project in the fiscal 2012 work plan. They also met with the City's Congressional representatives to place an emphasis on that project. Approximately $2.8 million of additional federal funding would be required. Between the County and the City, a $3.3 million local match would be needed. What was disappointing was that the City got $46 million to repair the levee. There is currently approximately $4 million left, but the levee only cost about $30 million to build. The Army Corps of Engineers sent back the money, and now they were saying the City and County needed to participate in funding the last segment. During their trip, they met with Senator Barbara Boxer's and Dianne Feinstein's staff, Congressman

Elton Gallegly and Congresswoman Lois Capps, the Army Corps of Engineers, and staff of the Senate Energy & Water Appropriations Subcommittee.

PUBLIC COMMENT
Eilene Okerblom asked for community participation on a student project. The students at St. Joseph's High School created a video on distracted driving which was submitted to a contest called "Act Out Loud." The team with the most votes would win. People could watch the video and vote once a day for St. Joseph's High School by going to www.actoutloud.org until Sunday.

Jim Talbott, Executive Director of SMOOTH Transportation, spoke on the CDBG Final Action Plan and thanked the Special Projects staff and the Block Grants Advisory Committee for their work every year. He thanked the City for the CDBG funding. He appreciated the City's support over the years.

Barry Stotts commended the Special Projects staff and the Block Grants Advisory Committee. He said it has been an honor to work with Wendy Stockton, Mark van de Kamp and Richard Dupuis on the ADA improvements. He also commended the City for the new Intermodal Transit Center.

CONSENT CALENDAR
Councilmember Cordero requested Item 3K be pulled for comment. Councilmember Boysen requested Items 3H, 3I, and 3K be pulled for comment.

Item 3H – City Investment Policy and 3I – GASB 54/Fund Balance Policy
Councilmember Boysen stated he was the Council's appointee to the Investment Oversight Committee. The Committee reviewed both policies, and he was in support of the Investment Policies established for the City.

Item 3K – Final Annual Action Plan
Councilmember Cordero acknowledged that when this was before the Council in April, he recused himself because his wife was on two of the Boards. He did not believe he had a conflict, but he would be abstaining from voting on this item.

Councilmember Orach commended Special Programs Manager Coelho-Hudson and the Block Grants Advisory Committee.

Councilmember Patino stated this item appropriated $1.8 million in federal funds for social services and public facilities. It was so important to the community.

Councilmember Boysen stated he would be abstaining from voting on this due to his involvement with Good Samaritan Shelter.

Consent Calendar Items 3A through 3N except Item 3K were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3K was approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: Councilmembers Boysen, Cordero

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 3, 2011, were approved as submitted.

C. ORDINANCE NO. 2011-04
The City Council conducted the second reading by title only of Ordinance No. 2011-04, authorizing an amendment to the contract between the City Council of the City of Santa Maria and the Board of Administration of the California Public Employees' Retirement System to provide 2% at 55, three-year final compensation for miscellaneous members and 3% at 55, three-year final compensation for local safety members, and adopted the ordinance.

Ordinance No. 2011-04 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF SANTA MARIA AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

D. DECLARING SURPLUS EQUIPMENT
Resolution No. 2011-48 was adopted declaring certain City equipment to be surplus and authorizing the donation of nine retired laptop computers to Converge PacWest for a humanitarian mission benefiting a school in earthquake-ravaged Haiti.

Resolution No. 2011-48 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING CERTAIN FORMER CITY COMPUTER EQUIPMENT TO BE SURPLUS AND AUTHORIZING ITS DISPOSITION.

E. GRAND JURY REPORT
The City Council reviewed staff's recommended response to the Santa Barbara County Civil Grand Jury Report regarding "*Improving Our Emergency Alert System in the 21st Century*" and authorized the City Manager to sign and transmit the City's response to the Presiding Judge of the Superior Court and the County Board of Supervisors.

F. WARRANTS
Warrant Nos. 165821 to 166086 totaling $2,163,928.71 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 164558 and 165979 were cancelled.

G. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

H. INVESTMENT POLICY
Resolution No. 2011-49 was adopted approving the City of Santa Maria 2011 Investment Policy.

Resolution No. 2011-49 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE CITY'S 2011 INVESTMENT POLICY.

I. GASB 54
Resolution No. 2011-50 was adopted approving Governmental Accounting Standards Board (GASB) Statement No. 54.

Resolution No. 2011-50 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING GOVERNMENTAL ACCOUNTING STANDARDS BOARD STATEMENT NO. 54 THAT INCORPORATES A FUND BALANCE POLICY INCLUDING A GENERAL FUND PRUDENT RESERVE AND AUTHORIZES THE DIRECTOR OF ADMINISTRATIVE SERVICES TO IMPLEMENT THE FUND BALANCE POLICY.

J. PERS RESOLUTIONS

Resolution Nos. 2011-51, 2011-52, 2011-53, 2011-54, and 2011-55 were adopted authorizing pre-tax payroll deduction plans for member contributions and the Employer Paid Members Contribution (EPMC) pertaining to the California Public Employees Retirement System (CalPERS).

Resolution No. 2011-51 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING TAX DEFERRED MEMBER PAID CONTRIBUTIONS – SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE EMPLOYER PICK-UP.

Resolution No. 2011-52 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE FULL-TIME GENERAL EMPLOYEES REPRESENTED BY THE SERVICE EMPLOYEES INTERNATIONAL UNION.

Resolution No. 2011-53 adopted A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE NON-REPRESENTED MANAGEMENT AND CONFIDENTIAL EMPLOYEES.

Resolution No. 2011-54 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE PUBLIC SAFETY MANAGERS.

Resolution No. 2011-55 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE EMPLOYEES REPRESENTED BY THE SANTA MARIA FIRE FIGHTERS' UNION.

K. FINAL ACTION PLAN

Resolution No. 2011-56 was adopted approving the 2011-12 Final Annual Action Plan.

Resolution No. 2011-56 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ESTIMATED ALLOCATIONS AND ACTIVITIES FOR USE OF FEDERAL FUNDS UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM FOR FISCAL YEAR 2011-12, AND AUTHORIZING THE CITY MANAGER AND ANY DESIGNEE(S) TO EXECUTE THE NECESSARY DOCUMENTS ON BEHALF OF THE CITY OF SANTA MARIA FOR THE APPLICATION OF FUNDS.

L. ARFF AGREEMENT

Resolution No. 2011-57 was adopted authorizing the Mayor to enter into a successor agreement for Aircraft Rescue and Firefighting (ARFF) services between the City of Santa Maria and the Santa Maria Public Airport District.

Resolution No. 2011-57. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AGREEMENT FOR AIRCRAFT RESCUE AND FIREFIGHTING SERVICES BETWEEN THE CITY OF SANTA MARIA AND THE SANTA MARIA PUBLIC AIRPORT DISTRICT.

M. NOTICE OF CONTRACT COMPLETION

The City Council approved the Notice of Contract Completion for Mall Parking Structure A – Federal Stimulus Energy Efficiency Project, Bid No. 2010/13, and directed the Chief Deputy City Clerk to record same.

N. LANDSCAPE MAINTENANCE DISTRICTS

Resolution No. 2011-58 was adopted approving the Engineer's Reports and Resolution No. 2011-59 was adopted declaring the intent to levy and collect the property tax assessments for each of the four Landscape Maintenance Districts and the 21 Special Benefit Zones, and setting a public hearing for July 19, 2011, to consider the proposed landscape assessments.

Resolution No. 2011-58 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING THE ENGINEER'S REPORTS FOR ASSESSMENT PROCEEDINGS.

Resolution No. 2011-59 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING THEREON FOR THE FOUR LANDSCAPE MAINTENANCE DISTRICTS AND 21 SPECIAL BENEFIT ZONES.

APPOINTMENT TO ALL-AMERICA CITY COMMITTEE AND LANDMARK COMMITTEE.

Chief Deputy City Clerk Perez gave the staff report. The City Council is requested to make one appointment to the All-America City Committee for a two-year term and one appointment to the Landmark Committee for a three-year term that will expire in January 2013 and January 2014 respectively. Applications were received from Karen Sanchez for the All-America City Committee and Michael Anderson for the Landmark Committee. Councilmember Orach will make the nomination to the All-America City Committee and Mayor Lavagnino will make the appointment to the Landmark Committee.

Councilmember Orach nominated Karen Sanchez to the All-America City Committee.

On motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Karen Sanchez was appointed to represent the Youth/Education Segment of the All-America City Committee for a two-year term.

On motion by Mayor Lavagnino, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Michael Anderson was appointed to the Landmark Committee for a three-year term.

AMENDMENT TO THE COUNTYWIDE SITING ELEMENT ADDING THE INTEGRATED WASTE MANAGEMENT FACILITY (IWMF) AT LOS FLORES.

Director of Utilities Sweet gave the staff report. The City Council will consider adoption of a resolution approving an amendment to the Countywide Siting Element and a resolution making findings of consistency for an amendment to the Siting Element. The Countywide Siting Element is a State required document that details solid waste plans for a County. The Countywide Siting Element for Santa Barbara County was approved by the California Integrated Waste Management Board in 1998. Amendment to the Element is required when any new solid waste facility is added within the County. The City of Santa Maria initiated an amendment to the Countywide Siting Element as part of the approval process for the Los Flores IWMF. State legislation requires that revisions to a Countywide Siting Element must be approved by the County, and by a majority of the cities within the county which contain a majority of the population of the incorporated area of the county.

Each city must act upon the Countywide Siting Element within 90 days after receipt of the Siting Element. If a city fails to act upon the Siting Element within 90 days after receiving it, the city shall be deemed to have approved the Siting Element as submitted. No county or city shall disapprove a proposed amendment unless it determines, based on substantial evidence in the record, that the amendment would cause one or more significant adverse impacts within its boundaries from the proposed project. Cities in Santa Barbara County are scheduled to consider the amendment to the Countywide Siting Element in May and the Board of Supervisors in June. State law requires that new solid waste facilities be located in areas planned for that purpose, and also provide for affected jurisdictions to make findings by resolution that the new solid waste facility is consistent with the applicable General Plan. The IWMF Los Flores Ranch is in an area designated Agriculture II by the County of Santa Barbara General Plan. The City of Santa Maria General Plan has Agriculture uses under Open Space designation, which also allows solid waste facilities. Therefore, the IWMF at Los Flores Ranch is consistent with the applicable General Plans.

Mayor Lavagnino opened the public hearing. Hearing no requests to speak, Mayor Lavagnino closed the public hearing.

Resolution No. 2011-60 was adopted approving the amendment to the Siting Element on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2011-60 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN AMENDMENT TO THE COUNTYWIDE SITING ELEMENT ADDING THE INTEGRATED WASTE MANAGEMENT FACILITY (IWMF) AT LOS FLORES.

Resolution No. 2011-61 was adopted making findings of consistency on motion by Councilmember Orach, seconded by Councilmember Cordero, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2011-61 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, MAKING FINDINGS OF CONSISTENCY FOR AN AMENDMENT TO THE COUNTYWIDE SITING ELEMENT.

DISCUSSION OF AMENDMENTS TO DOWNTOWN SPECIFIC PLAN.

Director of Community Development Appel gave the staff report. The City Council is requested to discuss possible amendments to the Downtown Specific Plan and direct Community Development staff to prepare amendments to the Plan based on options presented by staff and further discussion amongst Councilmembers. The Downtown Specific Plan (DTSP) was approved with amendments on February 3, 2009. The main reason for amending the new specific plan was based on direction from City Council regarding the provision for an implementation program that would identify the approval authority for projects within the planning area. The plan was finally approved with the City Council requiring approval of any proposed action greater than 5,000 square feet. On April 19, 2011, the City Council was asked to evaluate the change in use of an existing building over 5,000 square feet and located within the Downtown Specific Plan area. This was the first project to be subjected to the full review required by the implementation program. While processing of the application was very fast, the City Council expressed concern about the added layer of review and approval, the built-in time delay and extra expenses for applicants. The conditions of approval, drafted by staff, were found to be sufficient by both the Planning Commission and City Council. In fact, the Planning Commission relaxed the timing of a condition on a major component of visual screening. Utilizing the current implementation program, two other inquiries

may need to submit applications for a discretionary permit and receive approval by the City Council. In order to facilitate a discussion of how the City Council might like to re-address this issue, a matrix has been prepared that takes each of the six criteria requiring City Council approval and then provides options for the "decision maker" as well as a size criteria.

Edward (Ted) Maddux, McDonald's in Santa Maria, stated he and his wife had built 5 restaurants and remodeled more than 10 times over the last 35 years. They have a long relationship with the Planning Department. They have always had a good working relationship with the staff. Staff recommendations would expedite the approval process by at least a month. He supported the staff's recommendations.

Dave Cross, Chamber of Commerce and the EDC, stated both groups support the staff's recommendations. Anything that could streamline the process was beneficial. They were currently working with an organization that wants to move into the old railroad office building for a small Charter School that would provide up to 11 jobs, but it had to be accomplished by August 1st.

Laurie Tamura, Urban Planning Concepts, stated she participated heavily in the Downtown Specific Plan hearings. She remembered the concerns from the City Council during the public hearings for the Plan. She said she thought the major concern of the City Council was to participate in the decision-making process for new construction. New construction would be infill development and would change the way certain blocks would look. She said she would be very proud to bring a new construction project over 10,000 square feet to the City Council.

Mayor Lavagnino took each of the six categories individually.

Occupy Vacant/Partially Vacant Building for Permitted Uses:

Council agreed with staff's recommendation that under 5,000 square feet, 5,000 to 9,999 square feet and 10,000 square feet or over would be handled at a staff level.

Change Existing Use:

Councilmember Patino stated she attended many of the focus groups on what the residents wanted the downtown to look like. The 5,000 square feet was a compromise for the Council. She felt anything over 5,000 square feet should stay at the Council level. She wanted the City Council to drive it and stay engaged.

Director Appel explained what a change in use meant and the uses permitted in the Downtown Specific Plan.

Councilmember Boysen stated when the Tesoro project came before the Council, he felt it was holding up the applicant unnecessarily. He understood Councilmember Patino's concerns. He suggested the Zoning Administrator approve anything 5,000 to 9,999 square feet and the Planning Commission approve anything over 10,000 square feet.

Mayor Lavagnino asked how much time it would save an applicant with staff's recommended changes.

Director Appel explained it could be months if the application had to go to the Planning Commission and City Council. It would also save the applicant significant money if it was approved at a staff level. Staff takes this process seriously and would place appropriate conditions on these projects.

Councilmember Orach stated he was inclined to go along with Councilmember Boysen's recommendation.

Councilmember Cordero stated he was not on the Council when the Downtown Specific Plan was approved. He asked if the Plan was lacking specificity on the direction staff should take in order to accommodate the desires of the City Council.

Director Appel replied that the way the Downtown Specific Plan was approved by City Council, anything over 5,000 square feet had to be approved by the Council. It took approval away from staff in a lot of these areas, which was the recommendation at the time.

Councilmember Cordero stated he trusted that staff was not going to let a developer put up something that was not desirable, and staff had the City's best interests in mind. He appreciated the input from the business people. Trying to be sensitive and stay business friendly, he liked staff's recommendation.

Mayor Lavagnino stated he could agree with Councilmember Boysen's recommendation.

City Manager Ness stated what staff was reacting to were comments by the business and development community for fast-track processing, particularly because of the cost of these applications and the time it took. Staff's intent would be to send the Council information about these projects so Council would know what was happening.
Councilmember Boysen stated when he suggested everything over 10,000 square feet go to the Planning Commission, he was trying to reach a compromise with Councilmember Patino. His preference would be for under 5,000 square feet to be approved at the staff level, and anything over 5,000 square feet be approved by the Zoning Administrator to allow for proper notification.

Mayor Lavagnino stated he would agree to that, but he was not real happy about it. He asked for a show-of-hands vote of Council.

AYES: Councilmembers Boysen, Cordero, Orach, and Mayor Lavagnino
NOES: Councilmember Patino
ABSENT: None
ABSTAIN: None

Councilmember Patino stated her vote had nothing to do with her trust in staff. She thought transparency was important. When a project went to the Planning Commission, there was a new set of eyes looking at the project. There was only one chance to do it right, and the Council could not let that fall through the cracks. The people in the community want to be engaged in what happens with the downtown, and the Council needs to hear from them.

Director Appel stated he will make sure that Council gets copies of every application that comes in. If anywhere in the process Councilmembers have problems with what staff was doing, they could let him know. This item was only to provide direction to staff on possible amendments to the Downtown Specific Plan. These amendments will now go through the Planning Commission and then come back to Council for final review.

Make Addition to or Demolition of Building Square Footage:

There was consensus on the Council for staff's recommendation of under 5,000 square feet to be approved at staff level, 5,000 – 9,999 square feet by the Zoning Administrator, and over 10,000 square feet by the Planning Commission.

Change Existing Building Elevation or Style:

Mayor Lavagnino stated he thought this one was very important. He wanted to know what it was going to look like. His preference would be for the City Council to see anything over 5,000 square feet rather than having the Planning Commission approve projects 5,000-9,999 square feet.

Councilmember Boysen stated his feeling was that the whole point of having a Planning Commission was to add that layer of transparency. He worked closely with his Planning Commissioner. He supported staff's recommendation.

Councilmembers Cordero and Orach both supported staff's recommendation.

Director Appel stated that based on the current ordinance, the Planning Commission would only make a recommendation to the City Council. He asked if the Council was comfortable with the Planning Commission being the final approval. He asked if the Council wanted this category to be elevated to the City Council level for final approval.

City Manager Ness stated the way the matrix identified it, it would stop at the Planning Commission level.

Councilmember Cordero said he was okay with it stopping at the Planning Commission.

After further consideration, the consensus of Council was for under 5,000 square feet to be approved by staff, 5,000-9,999 square feet to be approved by the Planning Commission, and over 10,000 square feet to be approved by Council.

Establish Use on Fully or Partially Vacant Lot:

Mayor Lavagnino agreed with staff's recommendation for staff to approve anything under 10,000 square feet and the Planning Commission to approve anything over 10,000 square feet.

Councilmember Patino said she wanted anything over 10,000 square feet to be approved by the Council.

Councilmember Boysen and Cordero agreed with staff's recommendation.

Councilmember Orach said he would agree with anything over 10,000 square feet being approved by the Council.

Mayor Lavagnino agreed with that as well.

The consensus was for under 10,000 square feet to be approved by staff and anything over 10,000 square feet to be approved by the City Council.

New Construction on Fully or Partially Vacant Lot:

Councilmember Boysen agreed with staff's recommendation for the Zoning Administrator to approve anything under 5,000 square feet and the Planning Commission to approve anything over 5,000 square feet.

Councilmember Patino recommended the City Council approve anything over 5,000 square feet.

Councilmember Orach and Cordero agreed with staff's recommendation.

The consensus of Council was for anything under 5,000 square feet to be approved by staff and over 5,000 square feet by the Planning Commission.

Councilmember Boysen asked if that was inconsistent with the last item since Council wanted to see anything over 10,000 square feet for establish use on fully or partially vacant lot, but not on new construction on fully or partially vacant lot.

Council agreed that new construction on fully or partially vacant lots should be approved by Council as well.

City Manager Ness indicated that staff would now prepare amendments to the Downtown Specific Plan which would be reviewed by the Planning Commission and then the City Council.

CITY MANAGER'S REPORT

City Manager Ness reported on items anticipated for the June 7, 2011, City Council meeting including award of bids for the Northeast Fire Station No. 5, Orcutt Library Tenant Improvements, and Chip Seal and Streetlight Replacement; call for bids on two items; and a discussion item regarding a Development Agreement for Siena Apartments.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Boysen reported he attended the Economic Forecast, the Police Memorial Service and luncheon, a reception hosted by Steve Lavagnino and one at Heritage Bank, the Landmark presentation on the Camp Fire Cabin, a Rotary function, and the Chamber's Business Committee meeting.

Councilmember Patino reported she attended the Elks Club Student of the Month and Citizen of the Year event, the National Day of Prayer ceremony, the Economic Forecast, a Fighting Back Board meeting, the Police Memorial Ceremony, the Chamber of Commerce Tourism luncheon, the Good Samaritan luncheon for volunteers, gave the welcome speech at the Lion's Club, and attended the Camp Fire Cabin landmark designation ceremony.

Mayor Lavagnino reported he attended the North County Sub-Regional Meeting, the National Day of Prayer service, the Economic Forecast, a GenSpan meeting, made a presentation at the American Perspective Bank social, went to Washington, D.C. for three days to lobby for the levee, attended the Landmark Committee ceremony at the Camp Fire Cabin, and the Rotary Luau.

Councilmember Orach reported he attended the LAFCO meeting, the Economic Forecast, the All-America City Committee meeting, the All-America City Committee served breakfast to the volunteers for the Ministerial Association Community Service Day, and the Rotary Barn Party.

Councilmember Cordero reported he attended a Community Action Commission meeting, the National Day of Prayer ceremony, the Economic Forecast, the League of California Cities quarterly meeting, assisted at a golf tournament fundraiser for teen pregnancy, the GenSpan meeting, a Bring Our Community Home meeting, the Police Memorial, the Chamber of Commerce Tourism Awards, the open house for Supervisor Steve Lavagnino, participated in a radio show, helped with the Bull Canyon Run, attended a fundraiser for the Santa Maria Packers, and mock interviews at Orcutt Junior High School.

CLOSED SESSION:

The City Council recessed to a Closed Session at 8:30 p.m. to discuss Conference with Legal Counsel – Anticipated Litigation Initiation of litigation pursuant to subdivision (c) of Section 54956.9 (one potential case).

The Closed Session for Conference with Legal Counsel – Existing Litigation pursuant to subdivision (a) of Section 54956.9, Michael Acuna v. City of Santa Maria, Santa Barbara Superior Court, Case No. 1322760, was cancelled.

After the Closed Session, the following report was given:

Conference with Legal Counsel – Anticipated Litigation/Initiation of Litigation: The direction to initiate an action has been given and the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry.

ADJOURNMENT

There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:45 p.m. by Mayor Lavagnino.

APPROVED

June 7, 2011
Date

Patricia A. Perez
Chief Deputy City Clerk and ex officio Clerk of the City Council

ATTEST

Patricia A. Perez
Chief Deputy City Clerk

S. J. Lavagnino
Mayor